

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 5

77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590

<u>VIA ELECTRONIC MAIL</u> DELIVERY RECEIPT REQUESTED

Jim Janson, Environmental Engineer Hartford Wood River Terminal jjanson@piasa-hwrt.com

Re: Finding of Violation

Hartford Wood River Terminal

Hartford, Illinois

Dear Jim Janson:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to Hartford Wood River Terminal (you) under Section 113(a) of the Clean Air Act, 42 U.S.C. § 7413(a). We find that you are violating or have violated the New Source Performance Standards at 40 C.F.R. Part 60, Subpart Ka at your Hartford, Illinois facility.

Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the FOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Jason Schenandoah. You may call him at (312) 886-9506 or email him at schenandoah.jason@epa.gov to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,

Nathan Frank Supervisor, Air Enforcement and Compliance Assurance Section IL/IN

Enclosure

cc: Kent Mohr, Manager

Bureau of Air, Compliance Section

Illinois Environmental Protection Agency

Kent.Mohr@Illinois.gov

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 5

IN THE MATTER OF:)	
)	
Hartford Wood River Terminal)	FINDING OF VIOLATION
Hartford, Illinois)	
)	EPA-5-21-IL-06
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 et seq.)	
)	

FINDING OF VIOLATION

The U.S. Environmental Protection Agency finds that Hartford Wood River Terminal (HWRT) is violating Section 111(e) of the Clean Air Act, 42 U.S.C. § 7411(e). Specifically, HWRT is violating the Standards of Performance (NSPS) for Storage Vessels for Petroleum Liquids at 40 C.F.R. Part 60, Subpart Ka as follows:

Regulatory Authority

- 1. Section 111(b) of the CAA, 42 U.S.C. § 7411(b), requires EPA to publish a list of categories of stationary sources and, within a year after the inclusion of a category of stationary sources in the list, to publish proposed regulations establishing federal standards of performance for new sources within the source category. These emission standards are known as the New Source Performance Standards (NSPS). EPA codified these standards at 40 C.F.R. Part 60.
- 2. On April 4, 1980, EPA promulgated the Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 19, 1978, and Prior to July 23, 1984 at 40 C.F.R. Part 60, Subpart Ka (NSPS Ka). <u>See</u> 45 Fed. Reg. 23,379 (Apr. 4, 1980).
- 3. On December 18, 1980, EPA amended NSPS Ka. <u>See</u> 45 Fed. Reg. 83,229 (Dec. 18, 1980).
- 4. NSPS Ka applies to each storage vessel with a storage capacity greater than 151,416 liters (40,000 gallons), but not exceeding 1,589,873 liters (420,000 gallons) that is used to store petroleum liquids for which construction, reconstruction, or modification is commenced after May 18, 1978, and before July 23, 1984.
- 5. NSPS Ka, at 40 C.F.R. § 60.112a(a), requires the owner or operator of each storage vessel which contains a petroleum liquid which, as stored, has a true vapor pressure equal to or greater than 10.3 kPa (1.5 psia) but not greater than 76.6 kPa (11.1 psia) to equip the storage vessel with one of the following: (1) an external floating roof; (2) a fixed roof with an internal floating roof; (3) a vapor recovery system; or (4) an equivalent system to those described in 40 C.F.R. § 60.112a(a)(1)-(3).
- 6. NSPS Ka, at 40 C.F.R. § 60.112a(a)(1), specifies that an external floating roof consists of a pontoon-type or double-deck-type cover that rests on the surface of the liquid contents and is equipped with a closure device between the tank wall and the roof edge. Except at times when performing gap

measurements or inspections of the primary seal, the closure device is to consist of two seals, one above the other. The lower seal is referred to as the primary seal, and the upper seal is referred to as the secondary seal. The roof is to be floating on the liquid at all times (i.e., off the roof leg supports) except during initial fill and when the tank is completely emptied and subsequently refilled. The process of emptying and refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible.

- 7. Floating roof provisions at 40 C.F.R. § 60.112a(a)(1)(i)(A) require that the accumulated area of gaps between the tank wall and the metallic shoe seal shall not exceed 212 cm² per meter of tank diameter (10.0 in² per ft of tank diameter) and the width of any portion of any gap shall not exceed 3.81 cm (1.5 in).
- 8. HWRT owns and operates a bulk petroleum terminal at 900 North Delmar Avenue, Hartford, Illinois.
- 9. HWRT owns and operates thirteen petroleum product storage tanks at the address in paragraph 8, including a tank referred to as Tank 80-9.
- 10. Tank 80-9 was constructed, reconstructed, or modified after May 19, 1978, and prior to July 23, 1984.
- 11. Tank 80-9 has a storage capacity greater than 151,416 liters (40,000 gallons), but not exceeding 1,589,873 liters (420,000 gallons).
- 12. The petroleum liquid stored in Tank 80-9 has a true vapor pressure equal to or greater than 10.3 kPa (1.5 psia) but not greater than 76.6 kPa (11.1 psia).
 - 13. Tank 80-9 is subject to the requirements at 40 C.F.R. § 60.112a(a)(1)(i)(A).
- 14. Pursuant to Section 114 of the CAA, EPA sent a request for information to HWRT on August 10, 2020 (114 Request).
- 15. The 114 Request required HWRT to perform Topside Inspections of the seals on tanks, including Tank 80-9.
- 16. The Topside Inspections required HWRT to have a third-party inspect the integrity of the primary and secondary seals of Tank 80-9, as well as measure the gaps between the tank wall and the primary and secondary seals.
- 17. Results of the Topside Inspections demonstrate that the primary seal on Tank 80-9 had a maximum gap width of 1.75 inches and a total gap area of 2097.5 square inches.
 - 18. Tank 80-9 has a tank diameter of 120 feet.

Violations

- 19. As demonstrated in Paragraph 17, the primary seal on Tank 80-9 has a maximum gap width greater than 1.5 inches between the seal and the tank wall in violation of 40 C.F.R. § 60.112a(a)(1)(i)(A).
- 20. As demonstrated by Paragraphs 17 and 18, the primary seal on Tank 80-9 has a total gap area of greater than 1200 square inches between the seal and the tank wall in violation of 40 C.F.R. § 60.112a(a)(1)(i)(A).

Michael D. Harris Division Director Enforcement and Compliance Assurance Division